

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

NICHOLAS WADE]
Plaintiff,]
]]
v.] No. 3:12-1006
] Judge Sharp
ARTHAL MINTER, et al.]
Defendants.]

M E M O R A N D U M

The plaintiff, proceeding *pro se*, is an inmate at the Rutherford County Adult Detention Center in Murfreesboro, Tennessee. He brings this action pursuant to 42 U.S.C. § 1983 against Arthal Minter and Robert Arnold, Sheriff of Rutherford County, seeking injunctive relief and damages.

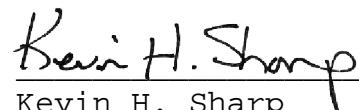
The plaintiff alleges that he signed up to attend a G.E.D. class at the Detention Center but later learned that he had not been enrolled in the program. The plaintiff believes that he was denied attendance in the G.E.D. program in violation of his constitutional rights.

To establish a claim for § 1983 relief, the plaintiff must plead and prove that the defendants, while acting under color of state law, deprived him of a right guaranteed by the Constitution or laws of the United States. Parratt v. Taylor, 451 U.S. 527, 535 (1981).

A prisoner has no federally protected right to participate in a rehabilitative program. Hutto v. Finney, 437 U.S. 678 (1978). Nor has the plaintiff alleged any particularized need to participate in the G.E.D. program. As a consequence, the plaintiff has failed to show that defendants' failure to enroll him in the program has violated his constitutional rights.

In the absence of a constitutional deprivation, the plaintiff is unable to prove every element of a § 1983 cause of action. The plaintiff, therefore, has failed to state a claim upon which relief can be granted. Under such circumstances, the Court is obliged to dismiss the instant action *sua sponte*. 28 U.S.C. § 1915(e)(2).

An appropriate order will be entered.



Kevin H. Sharp
United States District Judge